

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHEN CHONG SHU,)	
)	
Plaintiff,)	Civil Action No: <u>03-409E</u>
)	
V.)	Judge McLaughlin
)	Magistrate Judge Baxter
)	
UNITED STATES OF AMERICA,)	<u>MOTION & NOTIFICATION CHANGE OF ADDRESS,</u>
)	<u>PETITION FOR EXTENSION OF TIME TO STAY</u>
Defendant.)	<u>LITIGATION PENDING RETENTION FOR COUNSEL</u>
)	<u>ASSISTANCE.</u>
)	
)	

PLAINTIFF'S NOTICE CHANGE OF ADDRESS, AND PETITION FOR EXTENSION OF TIME
TO STAY LITIGATION PENDING RETENTION FOR COUNSEL ASSISTANCE.

AND NOW COMES, Plaintiff, Chen Chong Shu, by and through its Pro Se representation, respectfully notify the Court and the Defendant, United States of America, by and through its attorneys of Plaintiff's change of address as stated Below:

OLD ADDRESS:

CHEN CHONG SHU
Reg.No.48744-054
FCI McKean
P.O. Box 8000
Bradford, PA 16701

NEW ADDRESS:

CHEN CHONG SHU
Reg.No.05-2913
Clinton County Correctional Facility
P.O. Box 419
McElhattan, PA 17748

Resulted from change of custody, Plaintiff is presently being detain and in in the physical custody of the Department of Homeland Security (DHS) at the Clinton County Correctional Facility (CCCF), Pennsylvania.

Since November 10, 2005, Plaintiff was detained at CCCF, of which is a small county jail that house over 350 inmates and detainees from various county jails locally and INS inmates. With over-crowding, bunk beds are spreading all over common areas, lack of resources, and equipment for law research and usage,

to the extend of unorganize arrangement between the Department of Homeland Security/INS agents and CCCF and access to equiptment such as type writer, type ribbon, paper, law books, computer, etc., Plaintiff cannot be able to mount a proper litigation to present his case in front of this Court. On average, it takes two weeks to request and wait for a type writer since 350 inmates and detainees house together at this facility share one single type writer. There is no typing ribbon and correctional tape to be purchased at commissary. The type ribbon are handled under maintenance procedure. Half of the time when the type writer brought to the unit was out of order, inmate now have to wait for maintenance to provide such ribbons, paper, etc. The law library has no current law case citing and the computer that has access to the internet and related law case citing information is to be scheduled to have an officer to accompay inmate for one hour upon request for the usage of the equiptment. Plaintiff has been in this facility since November 10, 2005, and up todote has not have the opportunity to such access since it is on a first come first serve base subject to availability of the county jail's personel. When a letter or a motion completed, Plaintiff than requests through the officer to send the original to the accountant department at CCCF to make copy and be charged directly to Plaintiff's commissary account. To nearly a hassle and time consumming effort, Plaintiff deeply concern for the issue at hand since dead line to file and proper research in preparation for the Plaintiff is a factor in staying the litigation. To no avail of counsel in assisting Plaintiff and lack of access to mount a proper litigation within a restrictive controll enviroment, Plaintiff is left to no option to reing the issue infront of this Court for further instruction and to be on record that Plaintiff has infact make the effort to file the Notice and Motion timely.

Further more, Plaintiff realleges that he is a Chinese native and citizen of the Republic of China and English is not his primarily form of communication. Because of his language barrior, Plaintiff is facing with an enormouse difficulty

in understanding the legal document and being that there is no other Chinese interpreter here at the facility, Plaintiff would have no choice to look for alternative assistance that would have more access to properly in litigating this proceeding.

Plaintiff has infact has contacted an outside attorney and in the process of reviewing the matter in order to retain counsel assistance. In addition, Plaintiff respectfull request to this Court that, in the event that Plaintiff cannot retain counsel for the Court to issue an appointment of counsel by the Court being that Plaintiff was a federal inmate, presently being detain, indegent to financially support his litigation, to no avail of access to legal research for remedy, and lack of language barrier.

WHEREFORE, Plaintiff respectfully requests for this Court to grant the following relief:

1. To grant the Motion for extension of time to stay litigation pending retention for counsel assistance;
2. To appoint counsel to continue litigation;
3. To grant Plaintiff the Notice change of address; and
4. To grant any other and further relief that this Court deems just and proper.

I, Chen Chong Shu, affirm under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Respectfully Submitted,

Date: December 9, 2005

Chen Chong Shu

CHEN CHONG SHU
No.05-2913 - CCCF - PA
P.O. Box 419
McElhattan, PA 17748

Pro Se.

CERTIFICATE OF SERVICE

CHEN CHONG SHU, Plaintiff vs. UNITED STATES OF AMERICA, Defendant [NO.03-409E]

I HEREBY CERTIFY that on this the 9th day of December, 2005, I caused to be served the following:

**MOTION & NOTIFICATION CHANGE OF ADDRESS, PETITION FOR EXTENSION OF TIME
TO STAY LITIGATION PENDING RETENTION FOR COUNSEL ASSISTANCE.**

By placing a true copy thereof in a sealed envelope, with postage thereon fully prepaid and causing the same to be mailed by first class mail to the person at the address set forth below.

**U.S. DEPARTMENT OF JUSTICE
U.S. ATTORNEY / WESTERN DISTRICT OF PENN.
U.S. POST OFFICE & COURTHOUSE
700 GRANT STREET, SUITE 400
PITTSBURG, PA 15219**

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on this day, December 9, 2005.



CHEN CHONG SHU
No. 05-2913 CCCF PA
P.O. Box 419
McElhattan, PA 17748

CHEN CHONG SHU

No. 05-2913 - Clinton County Correctional Facility
P.O Box 419, McElhattan, PA 17748

December 9, 2005

**U.S. DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
SUSAN PARADISE BAXTER
U.S. MAGISTRATE JUDGE
17 SOUTH PARK ROW, ROOM A280
ERIE, PA 16501**

In RE: Chen Chong Shu v. U.S.A. - No. 03-409E

Dear Clerk of the Court:

Enclosed herewith please find Plaintiff's Notice change of address and petition for extension of time to stay the litigation pending retention for counsel assistance. Along with a Certificate of Service upon the Office of the U.S. Attorney, U.S. Post Office & Courthouse, 700 Grant Street, Suite 400, Pittsburgh, Pennsylvania 15219.

Thank you for your prompt attention and assistance to this matter. Should any additional information be required, kindly contact Plaintiff at the above captioned address.

Sincerely,


CHEN CHONG SHU

DQN

Enclosure: Petition and Notification change of address.
Certificate of Service.

Via US postal service first class mail.